

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ROADRUNNER RV PARK, LLC,

Plaintiff,

v.

PHILADELPHIA INDEMNITY
INSURANCE COMPANY,

Defendant.

Case No. CIV-16-0929-HE

Formerly Oklahoma County
Case No. CJ-2016-3523

NOTICE OF REMOVAL

1. Philadelphia Indemnity Insurance Company ("Philadelphia") is a defendant in a civil action brought against it in the District Court of Oklahoma County, State of Oklahoma, styled *Roadrunner RV Park, LLC v. Philadelphia Indemnity Insurance Company*, Case No. CJ-2016-3523.

2. True, correct and legible copies of Plaintiff's Petition and the state court docket sheet are attached as Exhibits 1 and 2, respectively. Other pleadings filed to date are as follows:

- Entry of Appearance by Steven S. Mansell, Exhibit 3;
- Entry of Appearance by Adam Engel, Exhibit 4;
- Entry of Appearance by Mark Engel, Exhibit 5;
- Entry of Appearance by Kenneth G. Cole, Exhibit 6;
- Return of Service, Exhibit 7;
- Entry of Appearance of Robert James, Exhibit 8;

- Answer of Philadelphia, Exhibit 9.

3. Plaintiff filed the state court action on July 14, 2016, in Oklahoma County, State of Oklahoma. Exhibit 1, Petition.

4. Philadelphia was served with the Petition and Summons on July 15, 2016.

5. In its Petition, Plaintiff alleges Philadelphia failed to adjust plaintiff's claim fairly and in good faith.

6. The plaintiff, Roadrunner RV Park, LLC, is a limited liability company, with its principal place of business in Oklahoma City, Oklahoma.

7. Defendant Philadelphia is a foreign insurer whose principal place of business is located at Bala Cynwyd, Philadelphia, and is incorporated in the State of Pennsylvania.

8. Pursuant to 28 U.S.C §§ 1441 and 1446, Philadelphia removes this action to the United States District Court for the Western District of Oklahoma.

9. As demonstrated herein, there is complete diversity of citizenship between Plaintiff and Defendant, and the amount in controversy exceeds this Court's minimum jurisdictional limit, giving this Court original jurisdiction pursuant to 28 U.S.C. § 1332(a)(1).

10. This Notice of Removal is filed within thirty (30) days following service of this action upon Philadelphia. Removal has thus been timely accomplished.

11. Written notice of the filing of this Notice of Removal will be promptly provided to Plaintiff's counsel via regular mail. Also, a copy of this Notice of Removal will be filed with the clerk of the District Court of Oklahoma County, State of Oklahoma, as provided by 28 U.S.C. § 1446(d).

WHEREFORE, Defendant Philadelphia Indemnity Insurance Company removes this action to this Court, invoking this Court's jurisdiction.

s/ D. Lynn Babb
D. Lynn Babb, (OBA #392)
Amy Steele Neathery (OBA #20344)
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*Attorneys for Defendant,
Philadelphia Indemnity Insurance
Company*

CERTIFICATE OF SERVICE

This is to certify that on the 15th day of August 2016, a true and correct copy of the above and foregoing was mailed, with postage thereon fully prepaid, to the following counsel of record:

Steven S. Mansell
Mark A. Engel
Kenneth G. Cole
Adam Engel
MANSELL ENGEL & COLE
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*Attorney for Defendant,
Philadelphia Indemnity Insurance
Company*

s/ D. Lynn Babb
D. Lynn Babb / Amy Steele Neathery